



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID EIDMAN,

Plaintiff,

-against-

ERNEST STANLEY O'NEAL, et al.,

Defendants.
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In re: MERRILL LYNCH & CO., INC.
Securities, Derivative & ERISA Litigation
-----X

SAND, J.

AMENDED ORDER

08 Civ. 3392 (LBS)

The Court will defer consideration of the motion to remand until such time as it
hears and decides defendants' motion to dismiss in the parallel consolidated case.

SO ORDERED.

Dated: New York, New York
June 19, 2008



U.S.D.J.